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porations, agencies and offices, for the fiscal year ending June 30, 1965, and for other purposes.

Mr. MORSE. Mr. President, I yield to the Senator from Washington [Mr. MAGNUSON], who I understand wishes to make a unanimous-consent request.

Mr. MAGNUSON. Mr. President, several Senators have asked me about the time situation. The Senator from Wisconsin [Mr. PROXMIER] has two more amendments pending. He has kindly consented to agree to a unanimous-consent agreement on time. I now request unanimous consent that the debate on the two remaining Proxmire amendments be limited to a half hour each, 15 minutes on a side.

The PRESIDING OFFICER. Is there objection?

Mr. MORSE. Mr. President, reserving the right to object, is it understood that the time limitation will go into effect at the conclusion of my remarks?

The PRESIDING OFFICER. At the completion of the remarks of the Senator from Oregon.

**TO PROMOTE THE MAINTENANCE
OF INTERNATIONAL PEACE AND
SECURITY IN SOUTHEAST ASIA—
MESSAGE FROM THE PRESIDENT
(H. DOC. NO. 333)**

Mr. HUMPHREY. Mr. President, did I correctly understand there is a message from the President of the United States at the desk?

The PRESIDING OFFICER. The Senator is correct.

Mr. HUMPHREY. I believe it is of sufficient importance, since it relates to a grave international situation, that it be read.

Mr. MORSE. I agree with the Senator.

The PRESIDING OFFICER. The message from the President of the United States will be read.

The legislative clerk read the message, as follows:

To the Congress of the United States:

Last night I announced to the American people that the North Vietnamese regime had conducted further deliberate attacks against U.S. naval vessels operating in international waters, and that I had therefore directed air action against gunboats and supporting facilities used in these hostile operations. This air action has now been carried out with substantial damage to the boats and facilities. Two U.S. aircraft were lost in the action.

After consultation with the leaders of both parties in the Congress, I further announced a decision to ask the Congress for a resolution expressing the unity and determination of the United States in supporting freedom and in protecting peace in southeast Asia.

These latest actions of the North Vietnamese regime have given a new and grave turn to the already serious situation in southeast Asia. Our commitments in that area are well known to the Congress. They were first made in 1954 by President Eisenhower. They were further defined in the Southeast Asia

Collective Defense Treaty approved by the Senate in February 1955.

This treaty with its accompanying protocol obligates the United States and other members to act in accordance with their constitutional processes to meet Communist aggression against any of the parties or protocol states.

Our policy in southeast Asia has been consistent and unchanged since 1954. I summarized it on June 2 in four simple propositions:

1. America keeps her word. Here as elsewhere, we must and shall honor our commitments.

2. The issue is the future of southeast Asia as a whole. A threat to any nation in that region is a threat to all, and a threat to us.

3. Our purpose is peace. We have no military, political, or territorial ambitions in the area.

4. This is not just a jungle war, but a struggle for freedom on every front of human activity. Our military and economic assistance to South Vietnam and Laos in particular has the purpose of helping these countries to repel aggression and strengthen their independence.

The threat to the free nations of southeast Asia has long been clear. The North Vietnamese regime has constantly sought to take over South Vietnam and Laos. This Communist regime has violated the Geneva accords for Vietnam. It has systematically conducted a campaign of subversion, which includes the direction, training, and supply of guerrilla warfare in South Vietnamese territory. In Laos, the North Vietnamese regime has maintained military forces, used Laotian territory for infiltration into South Vietnam, and most recently carried out combat operations—all in direct violation of the Geneva agreements of 1962.

In recent months, the actions of the North Vietnamese regime have become steadily more threatening. In May, following new acts of Communist aggression in Laos, the United States undertook reconnaissance flights over Laotian territory, at the request of the Government of Laos. These flights had the essential mission of determining the situation in territory where Communist forces were preventing inspection by the International Control Commission. When the Communists attacked these aircraft, I responded by furnishing escort fighters with instructions to fire when fired upon. Thus, these latest North Vietnamese attacks on our naval vessels are not the first direct attack on Armed Forces of the United States.

As President of the United States I have concluded that I should now ask the Congress, on its part, to join in affirming the national determination that all such attacks will be met, and that the United States will continue in its basic policy of assisting the free nations of the area to defend their freedom.

As I have repeatedly made clear, the United States intends no rashness, and seeks no wider war. We must make it clear to all that the United States is united in its determination to bring

about the end of Communist subversion and aggression in the area. We seek the full and effective restoration of the international agreements signed in Geneva in 1954, with respect to South Vietnam, and again at Geneva in 1962, with respect to Laos.

I recommend a resolution expressing the support of the Congress for all necessary action to protect our Armed Forces and to assist nations covered by the SEATO Treaty. At the same time, I assure the Congress that we shall continue readily to explore any avenues of political solution that will effectively guarantee the removal of Communist subversion and the preservation of the independence of the nations of the area.

The resolution could well be based upon similar resolutions enacted by the Congress in the past—to meet the threat to Formosa in 1955, to meet the threat to the Middle East in 1957, and to meet the threat in Cuba in 1962. It could state in the simplest terms the resolve and support of the Congress for action to deal appropriately with attacks against our Armed Forces and to defend freedom and preserve peace in southeast Asia in accordance with the obligations of the United States under the Southeast Asia Treaty. I urge the Congress to enact such a resolution promptly and thus to give convincing evidence to the aggressive Communist nations, and to the world as a whole, that our policy in southeast Asia will be carried forward—and that the peace and security of the area will be preserved.

The events of this week would in any event have made the passage of a congressional resolution essential. But there is an additional reason for doing so at a time when we are entering on 3 months of political campaigning. Hostile nations must understand that in such a period the United States will continue to protect its national interests, and that in these matters there is no division among us.

LYNDON B. JOHNSON.
THE WHITE HOUSE, August 5, 1964.

Mr. FULBRIGHT. Mr. President, I send to the desk a joint resolution on behalf of myself, the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Georgia [Mr. RUSSELL], and the Senator from Massachusetts [Mr. SALTONSTALL], and ask unanimous consent that it be referred to the Committee on Foreign Relations and the Committee on Armed Services, sitting jointly.

The PRESIDING OFFICER. Without objection, the joint resolution will be received and referred, as requested.

The joint resolution (S.J. Res. 189) to promote the maintenance of international peace and security in southeast Asia, was received, read twice by its title, and ordered to be referred to the Committees on Foreign Relations and Armed Services, jointly.

Mr. MORSE. Mr. President, I rise to speak in opposition to the joint resolution which has been introduced.

Mr. STENNIS. Mr. President, will the Senator yield to me so that I may request that the joint resolution be read?

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Mr. MORSE. I shall be glad to have the joint resolution read.

Mr. STENNIS. Mr. President, may we have order? Will the Chair request the staff, and Senators also, to cease speaking, so that we may hear what is going on.

The PRESIDING OFFICER. The Senate will be in order. The resolution will be read.

The joint resolution (S.J. Res. 189) was read, as follows:

Whereas naval units of the Communists regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace;

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom;

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander-in-Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

Sec. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Sec. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

Mr. MORSE. Mr. President, I rise to speak in opposition to the joint resolution. I do so with a very sad heart. But I consider the resolution, as I considered the resolution of 1955, known as the Formosa resolution, and the subsequent resolution, known as the Middle East resolution, to be naught but a resolution which embodies a predated declaration of war.

Article I, section 8 of our Constitution does not permit the President to make war at his discretion. Therefore I stand on this issue as I have stood before in the Senate, perfectly willing to take the judgment of history as to the merits of my cause. I note in passing that the warnings which the Senator from New York, Mr. Lehman, and the senior Senator from Oregon uttered in 1955 in opposition to the Formosa Resolution have been proved to be correct by history. I am satisfied that history will render a

final verdict in opposition to the joint resolution introduced today.

Mr. President, I shall not yield during the course of my speech, although I shall be very glad to yield to respond to questions afterward.

The senior Senator from Oregon has no illusions as to the reactions which will be aroused in some quarters in this Republic. However, I make the speech because it represents the convictions of my conscience and because I consider it essential to make it in keeping the sworn trust that I undertook when I came into this body on four different occasions and was sworn in as a Senator from the State of Oregon, pledging myself to uphold the Constitution.

I have one other remark by way of preface, not contained in the manuscript. I yield to no other Senator, or to anyone else in this country in my opposition to communism and all that communism stands for.

In our time a great struggle, which may very well be a deathlock struggle, is going on in the world between freedom on the one hand and the totalitarianism of communism on the other.

However, I am satisfied that that struggle can never be settled by war. I am satisfied that if the hope of anyone is that the struggle between freedom and communism can be settled by war, and that course is followed, both freedom and communism will lose, for there will be no victory in that war.

Because of our own deep interest in the struggle against communism, we in the United States are inclined to overlook some of the other struggles which are occupying others. We try to force every issue into the context of freedom versus communism. That is one of our great mistakes in Asia. There is much communism there, and much totalitarianism in other forms. We say we are opposing communism there, but that does not mean we are advancing freedom, because we are not.

Senators will note as I proceed in the presentation of my case in opposition to the resolution that I believe the only hope for the establishment of a permanent peace in the world is to practice our oft-repeated American professing that we believe in the substitution of the rule of law for the jungle law of military force as a means of settling disputes which threaten the peace of the world.

The difficulty with that professing or preaching by the United States is that the United States, like some Communist nations, does not practice it.

I wish to make one last introductory remark in the hope that more will understand the message of this speech, although we sometimes deplore the possibility of understanding on a subject matter that stirs so much emotion, so much feeling, and so much passion in the minds of so-called superpatriots, who seem to feel that if one raises any question or expresses any criticism of the policies of our country in the field of foreign policy, one's very patriotism is subject to question.

In the hope that there may be those who may wish to understand the basic tenet of the foreign policy philosophy of the senior Senator from Oregon, I

wish to repeat what some of my colleagues have heard me say before.

My foreign policy philosophy is based on a great teaching of a great teacher in this body, one who undoubtedly exercised more influence on me in the field of foreign policy than any other person; a great Republican, who became chairman of the Committee on Foreign Relations; who was one of the architects of the San Francisco Charter; who joined with Franklin Delano Roosevelt in the announcement of that great statement in the field of foreign policy, that politics should stop at the water's edge. I refer, of course, to the incomparable Arthur Vandenberg, of Michigan.

Senators within my hearing have heard me say before that I was deeply moved by that dramatic account of Arthur Vandenberg, in which he told, so many times, how he ceased being the leading isolationist in the Senate and became the leading internationalist. It was before the atomic bomb was finally perfected, but after it was known that the atomic bomb would be successful in its perfection.

Franklin Roosevelt called to the White House late one night the leaders of Congress, the leading scientists of the country, who were working on the bomb at that time, and the military leaders of our Defense Establishment who were still stationed in Washington. As Arthur Vandenberg used to say, "We were briefed, and the conference continued until the wee hours of the morning. The scientists convinced all that there was no question that the bomb would work. Then the discussion turned to the implications of this great discovery of science."

Senator Vandenberg used to say to us, "When I came out of the White House in the wee hours of that morning, I knew that while I had been in there that night, the world had so shrunken that there no longer was any place in American politics for an isolationist."

It was then that the great record of internationalism was begun to be made by the incomparable Vandenberg. I paraphrase him, but accurately, for my speech today rests upon this tenet, this unanswerable teaching of Vandenberg. This speech is my challenge today to the members of our Government and the people of my country to follow that teaching, for I do not believe that there is an implementation of any other teaching that can offer mankind any hope for peace. Unless mankind proceeds to adopt the procedures that will make possible permanent peace, both Western civilization and Communist civilization are headed for annihilation. In my judgment, we cannot find reputable scientists who will testify that either civilization could survive a nuclear war.

That tenet of Vandenberg's is as follows: There is no hope for permanent peace in the world until all the nations—not merely some, not merely those we like, not merely those we think are friendly—but until all the nations are willing to establish a system of international justice through law, to the procedures of which will be submitted each and every international dispute that

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threatens the peace of the world, anywhere in the world, for final and binding determination, to be enforced by an international organization, such as the United Nations.

I am aware of all the criticisms of that tenet. But I have yet to hear a criticism that either destroys or weakens the tenet. One of the almost pro forma criticisms is that it is idealistic, it is impractical, unrealistic. The fact is that only ideals are practical. The only practicality we shall experience in the field of foreign policy or any other field of human behavior is an ideal put to work.

Vandenberg left us this great ideal. It will take years to implement it. But we must always move forward, not backward. We are moving in Asia today, but the movement of the United States in Asia is not in the direction of Vandenberg's principle.

It makes no difference who says that our objective is peace, even if he be the President of the United States. Our actions speak louder than words; and our actions in Asia today are the actions of warmaking.

As I speak on the floor of the Senate at this moment, the United States is making war in Asia.

I shall never give up, short of the actual passage of a declaration of war, my prayerful hope for peace and my prayerful hope that we will substitute the ideal of the rule of law through the only international organization that exists and that has any hope, in my judgment, of applying the rule—the United Nations.

ASIA POLICY IS CATCHING UP WITH US

Thus I say that the incident that has inspired the joint resolution we have just heard read is as much the doing of the United States as it is the doing of North Vietnam. For 10 years, the role of the United States in South Vietnam has been that of a provocateur, every bit as much as North Vietnam has been a provocateur. For 10 years, the United States, in South Vietnam, has violated the Geneva agreement of 1954. For 10 years, our military policies in South Vietnam have sought to impose a military solution upon a political and economic problem. For 10 years the Communist nations of that part of the world have also violated the Geneva accord of 1954.

Not only do two wrongs not make one right, but also I care not how many wrongs we add together, we still do not come out with a summation except a summation of wrong—never a right.

The American effort to impose by force of arms a government of our own choosing upon a segment of the old colony of Indochina has caught up with us.

Our violations of the Geneva accord have caught up with us. Our violations of the United Nations Charter have caught up with us.

Our failure to apply the provisions of the Southeast Asia Treaty have caught up with us. We have been making covert war in southeast Asia for some time, instead of seeking to keep the peace. It was inevitable and inexorable that sooner

or later we would have to engage in overt acts of war in pursuance of that policy, and we are now doing so.

There never was a time when it was possible for us to impose a government upon the people of South Vietnam without constant fighting to keep it in power. There never was a time when it would be possible to "bring the boys home by 1965,"—as was once promised—or on any other date. There never was a time when the war could be fought and won in South Vietnam alone, because the Khanh junta—and any of its successors and predecessors—could not survive without massive and direct American military backing that was possible only if the war were expanded.

So the war has at last been expanded—as the Senator from Alaska and I for the last 5 months, in speech after speech on the floor of the Senate, have forewarned was inevitable if we continued our course of action. That course of action, of unilateral military action on the part of the United States, is irreconcilable with our professions as to the application of the rule of law for the settlement of disputes which threaten the peace of the world or any region thereof.

Whether the choice of expanding it was that of North Vietnam or South Vietnam is still in doubt. But I am satisfied that the present rulers of South Vietnam could not long continue their civil war unless the war were expanded.

The United States is, of course, a full partner in the Government of South Vietnam. I am satisfied that ever since 1954, when the United States did not sign the Geneva accords but instead started down the road of unilateral military action in South Vietnam, we have become a provocateur of military conflict in southeast Asia and marched in the opposite direction from fulfilling our obligations under the United Nations Charter. I am satisfied, further, that officials of both the Pentagon and the State Department during those years have ill advised the White House in respect to what our course of action should be in southeast Asia from the standpoint of a sound foreign policy.

In recent months, evidence has been mounting that both the Pentagon and the State Department were preparing to escalate the war into North Vietnam. Many of the policies they have initiated and the statements they have made in public have been highly provocative of military conflict beyond the borders of South Vietnam.

When the high emotionalism of the present crisis has passed, and historians of the future will disclose some of the provocative things that have occurred, I have no doubt that they will disclose that for quite some time past, there have been violations of the North Vietnamese border and the Cambodian border by South Vietnam, as well as vice versa.

I am also satisfied that they will disclose that the United States was not an innocent bystander. We will not receive a verdict of innocence from the jury box of history on several counts.

Our extensive military aid to South Vietnam was a violation of the Geneva accords in the first instance. Our send-

ing troops into South Vietnam, even under the semantic camouflage of designation as military advisers, was a violation of the Geneva accords. In fact, both of those two counts were also a clear violation of the spirit and intent of the peaceful purposes of the United Nations Charter, itself.

Any violations of the borders of Cambodia and North Vietnam by the South Vietnamese were not conducted in a vacuum so far as U.S. assistance was concerned.

We assisted not only with materiel, but we advised on war plans, and our military presence in South Vietnam served as an ever-present strong back-stop to the South Vietnamese. I doubt if their military leaders acted at any time without the tacit approval of their American advisers.

TONKIN BAY INCIDENT PROVOKED BY SOUTH VIETNAM

In a very recent incident which was the forerunner to the attacks on American destroyers in the Tonkin Bay, it is known that South Vietnamese naval vessels bombarded two North Vietnamese islands within 3 to 5 or 6 miles of the main coast of North Vietnam. Of course, the national waters of North Vietnam extend, according to our international claims, 3 miles seaward from the eastern extremity of those islands and 12 miles seaward under national water boundary claims of North Vietnam. While the South Vietnamese vessels were attacking the North Vietnamese islands, the newspapers tell us that U.S. vessels of war were patrolling Tonkin Bay, presumably some 6 to 11 miles off the shore of North Vietnam.

Was the U.S. Navy standing guard while vessels of South Vietnam shelled North Vietnam? That is the clear implication of the incident.

In regard to international waters, a subject which is one of the highly disputed and still unsettled questions of international law, I believe that the position of the United States is the sounder position. I believe that the 3-mile limit has the better support under international law principles. But we have neighbors to the south of us in Latin America who do not accept that principle and insist on a 12-mile limit—in one instance, as I recall, a longer limit. Time and time again international incidents arise between the United States and Latin American countries, when American fishing boats get within the limits of the claimed national waters of our South American neighbors and are towed into port. Then begins the exchange of notes and conferences in an effort to have those men released.

The U.S. Government knew that the matter of national and international waters was a controversial issue in Tonkin Bay. The United States also knew that the South Vietnamese vessels planned to bomb, and did bomb, two North Vietnamese islands within 3 to 6 miles of the coast of North Vietnam. Yet, these war vessels of the United States were in the vicinity of that bombing, some miles removed.

Can anyone question that even their presence was a matter of great moral

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value to South Vietnam? Or the propaganda value to the military totalitarian tyrant and despot who rules South Vietnam as an American puppet—General Khanh, who is really, when all is said and done, the leader whom we have put in charge of an American protectorate called South Vietnam?

It should be unnecessary to point out either to the Senate or to the American people what the position of the United States and its people would be if the tables were reversed and Soviet warships or submarines were to patrol 5 to 11 miles at sea while Cuban naval vessels bombarded Key West.

It is no accident or coincidence that today's press and radio reports tell of the rumors rife in Saigon yesterday of a coup against the Khanh regime, rumors which are said to have been quelled by the expansion of the fighting.

Today's New York Times carries on its front page a story headlined "Khanh, Warned of Plots, Seeks To Bolster Regime." It is written by Seymour Topping, and it says in part:

Once again, rumors of a coup d'etat were circulating in Saigon. There was no visible evidence that a coup against the Khanh government was imminent, but the currency of the rumors tended to undermine the authority of the regime and confidence in it. U.S. officials believe another coup after that of January 30, which brought Premier Khanh to power, and that of last November 1, which brought down the regime of President Ngo Dinh Diem, would be seriously detrimental to the war against the Vietcong.

This story also relates the efforts by General Khanh to rouse support by carrying the war into North Vietnam, and the subsequent "lift" given his regime by the involvements of the Maddox with the North Vietnamese PT boats.

I ask unanimous consent to have the full story printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KHANH, WARNED OF PLOTS, SEEKS TO BOLSTER REGIME

(By Seymour Topping)

SAIGON, SOUTH VIETNAM, August 4.—Premier Nguyen Khanh struggled today to strengthen the political stability of his government as his aids privately warned of plots to drive him from office. U.S. officials were concerned about the political deterioration in Saigon.

The malaise in the capital was attributed more to a clash of rival political and military personalities than to pressure from the Vietcong insurgents.

U.S. sources said reports from provinces indicated that conditions there were generally better than in Saigon.

Once again rumors of a coup d'etat were circulating in Saigon. There was no visible evidence that a coup against the Khanh government was imminent, but the currency of the rumors tended to undermine the authority of the regime and confidence in it.

THREAT TO WAR IS SEEN

Gen. Maxwell D. Taylor, the U.S. Ambassador, was informed of the rumors, which emanated in part from responsible Government sources.

U.S. officials believe another coup after that of January 30, which brought Premier Khanh to power, and that of last November 1, which brought down the regime of

President Ngo Dinh Diem, would be seriously detrimental to the war against the Vietcong.

General Khanh scheduled a Cabinet meeting for tomorrow during which he may deal with some of the reported threats to his administration. Vietnamese Government officials said General Khanh was considering a proposal to appoint military officers as deputy ministers to strengthen his authority.

Associates of General Khanh were privately accusing Dr. Nguyen Ton Hoan, leader of the nationalist Dai Viet party, of involvement in plans to force the Premier from office.

General Khanh brought Dr. Hoan to Saigon from Paris, where he had spent about a decade in exile, after the Premier had seized power. The Dai Viet leader is said to have been disappointed when he was not appointed Premier as expected, but was made one of three Vice Premiers and put in charge of the pacification program.

The Dai Viet, which has lacked a base of popular support, is reported to have been active recently in recruiting new members, especially army officers.

Some of Premier Khanh's supporters accused Dr. Hoan of having tried to recruit Maj. Gen. Tran Thien Khlem, the Minister of National Defense, who was instrumental in bringing the Premier to power.

OFFICERS LINKED TO PARTY

Reports reaching Western embassies here and well-informed Vietnamese sources also linked the Dai Viet to Gen. Nguyen Van Thieu, the Chief of Staff, and Col. Nguyen Van Ton, commander of the 7th Division.

General Khanh has relied on all officers named in the past and there was no certainty by independent observers, despite persistent reports, that any of them had become disaffected.

The Premier, who has come to look upon plotting by discontented politicians and military officers as a chronic expression of the unstable political situation in Saigon, has been devoting much of his time to dissolving political groupings directed against him.

General Khanh, bitter about his inability to muster Saigon politicians and some officers in the war effort, has recently hinted that he might forego the premiership.

The Premier has spoken of his desire to go to the United States. Ostensibly the visit would be to tell Americans more about South Vietnam's cause.

In a fit of frustration at one private Government meeting, the Premier is reported to have offered to turn over the office to Maj. Gen. Duong Van Minh, the chief of state, if he would pledge dynamic leadership in the war.

General Minh, leader of the military junta that was toppled in the coup last January, was retained as chief of state at the suggestion of the United States. He is said to have declined the offer.

The chief of state is a fairly popular figure, more so than General Khanh in some regions of the country. However, he has balked at throwing his full influence behind the younger officer who overthrew his government.

Political observers here view the demands made by General Khanh last month for a "march to the north" as an articulation of his political frustrations. The Premier, aware that his forces were too limited for such an operation against North Vietnam, apparently sounded the slogan in an effort to rouse nationalist support.

Last week Ambassador Taylor was instructed to inform Premier Khanh that his call for an extension of the war to the north was against present U.S. policy. Information about policy differences leaked to the press, embarrassing the Premier.

General Khanh protested for a time about his government's independence of action, but on Friday publicly modified his state-

ments to fit in with Washington policy. The retreat was noted by his political enemies.

General Khanh has been given a political lift by the attack made by North Vietnamese PT boats on the U.S. destroyer *Maddox* last Sunday. The general has pointed to the attack as vindication of his view that stronger measures are necessary to counter Communist aggression.

A spokesman for the Premier today welcomed President Johnson's decision to strengthen U.S. naval patrols in the Gulf of Tonkin, where the attack on the *Maddox* took place.

Mr. MORSE. These facts are as well known to the world as they are to officials of the U.S. Government. They mean that our charges of aggression against North Vietnam will be greeted by considerable snickering abroad.

So, too, will the pious phrases of the resolution about defending freedom in South Vietnam. There is no freedom in South Vietnam. I think even the American people know that to say we are defending freedom in South Vietnam is a travesty upon the word. We are defending General Khanh from being overthrown; that is all. We are defending a clique of military generals and their merchant friends who live well in Saigon, and who need a constantly increasing American military force to protect their privileged position.

Repetitious as these remarks may seem to those who have heard me speaking on Asian policy over the last 5 months, nevertheless, the facts of our obligations under international law, and the stupidity of our policy in southeast Asia remain the same. I am aware that my words will not be popular with many, and will be unacceptable to some. But the times demand wisdom more than they demand popularity.

If war is really too important to be left to the generals, then the American people are going to have to make themselves heard soon on U.S. policy in Asia. The only hope that remains for diplomatic action in our activities in the former Indochinese peninsula is the vague hope that a large enough military buildup and a forceful enough threat to expand the war will cause Red China and North Vietnam to retreat from Laos and to cease their support of the rebels in South Vietnam.

When this retreat and this cessation of support to the Vietcong has occurred, then and only then, say our diplomatic spokesmen, might the United States consider a United Nations action in the area, or a new 14-power conference.

Such an American foreign policy is in direct violation of our international legal obligations, including our obligations under the United Nations Charter. What is worse, we have threatened war where no direct threat to American security is at stake. Many journalists who reflect this Government policy in their writings have resorted to fear arguments, seeking to create the impression that unless the United States uses its military might in South Vietnam and other parts of Asia, the security of the United States will be threatened and communism will run rampant over all of Asia. They are men of little faith in the strength of joint efforts of peaceful nations, who by

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solemn treaty have bound themselves together to enforce the peace through the application of the procedures of international law. They would take the United States outside the framework of international law, and that is exactly where we are today, along with North Vietnam, Red China, South Vietnam, the Pathet Lao in Laos, and possibly others.

Likewise, there are many congressional politicians who would evade their responsibilities as to American foreign policy in Asia by use of the specious argument that "foreign policy is a matter for the executive branch of the Government. That branch has information no Congressman has access to." Of course, such an alibi for evading congressional responsibility in the field of foreign policy may be based on lack of understanding, or a convenient forgetting of our system of checks and balances that exists and should be exercised in the relationships between and among our three coordinate and coequal branches of government.

Granted that there are many in Congress who would prefer to pass the buck to the White House, the State Department, and the Pentagon Building in respect to our unilateral American military action in Asia. And this resolution gives them the vehicle. Nevertheless, I am satisfied that once the American people come to understand the facts involved in the ill-fated military operations in Asia, they will hold to an accounting those Members of Congress who abdicate their responsibilities in the field of foreign policy.

It is an elementary principle of constitutional law that the executive branch of government cannot spend taxpayers' money in the field of foreign policy, or for any other purpose except when the appropriations are passed by law.

Article I, section 9, of the Constitution reads:

No money shall be drawn from the Treasury but in consequence of appropriations made by law.

It is also elementary that before an appropriation law can be passed, an authorization bill approving of the policy requested by the President must be passed.

These legal requirements under our constitutional system give the Congress a check and voice in determining American foreign policy. Likewise, the Constitution in several other respects places checks upon the executive branch of Government in the field of foreign policy.

Under article I, section 8 of the Constitution, the power to declare war is vested in the Congress. No President has the legal authority under the Constitution to send American boys to their death on a battlefield in the absence of a declaration of war, and in the absence of a prior treaty commitment calling for that action in prescribed circumstances.

There has been a tendency in the historic debate that is taking place on United States-Asian policy for those who favor American unilateral military action in Asia to substitute the waving of the flag into tatters for a reasoned discussion of our international law obligations. Of course, that is no way to pay respect to the flag. If we are to go to

war in Asia we should at least stay within the provisions of the Constitution. But a war in Asia should be recognized as being unthinkable, and every effort within reason and honor should be made to avoid it. That is why I have urged that as a substitute for American unilateral military action in South Vietnam we should appeal to the SEATO organization, and to the United Nations, for joint action on the part of the members thereof, in accordance with the provisions of those two charters, in an endeavor to substitute a keeping of the peace, for the making of war in Asia.

ORIGINS OF PRESENT CONFLICT

The sad truth is that the threats by leading American officials to make war on China and the present war crisis, are the logical end of the dismal road in Indochina that John Foster Dulles set us upon in 1954. After failing in his efforts to keep the French fighting on in Indochina, despite American aid to their war effort and the promise of direct U.S. military action, Dulles refused to put the signature of the United States on the Geneva Agreement of 1954 which marked the end of French rule there. South Vietnam also declined to sign. The most the United States said about the 1954 agreement was that we would recognize it as international law and regard violations with grave concern and as seriously threatening international peace and security.

Among the provisions of the 1954 accords was article 16:

With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any troop reinforcements and additional military personnel is prohibited—

Except for rotation of personnel, meaning French, already there.

Article 17:

(a) With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any reinforcements in the form of all types of arms, munitions, and other war material, such as combat aircraft, naval craft, pieces of ordnance, jet engines, and jet weapons and armored vehicles is prohibited.

Again, an exception was made for replacement on the basis of piece for piece of the same type and with similar characteristics.

Article 18:

With effect from the date of entry into force of the present agreement, the establishment of new military bases is prohibited through Vietnam territory.

There is no way to escape the fact that for years the United States stood in violation of article 16, article 17, and article 18 of the Geneva accords of 1954, and yet we have the audacity to say to the world that we are helping South Vietnam because North Vietnam, and probably others, are violating the Geneva accords. I do not know what international jury box we could sell that argument to, for our duty and our obligation were, and our course of action should have been, to take to the United Nations our allegation of the violation of the Geneva accords. We should ask the United Nations to put into force and effect the procedures of international law encom-

passed in that charter, which we, along with all the other signatories thereto, committed ourselves and pledged ourselves to respect and obey.

Part of the 1954 agreement established an International Control Commission of Poland, India, and Canada to investigate complaints of violations. As early as its report covering 1956, this Commission found both North and South Vietnam had violated the accords of 1954, the latter in conjunction with the U.S. military aid activities.

The Independent Commission, consisting of Poland, India and Canada, found as early as 1956, that both North Vietnam and South Vietnam were in violation of the accords, and that the United States was in violation with them, because of the military aid that we have supplied in direct violation of the articles of the accord which I have previously read.

Immediately upon the signing of the 1954 agreement, the United States began to support the new government of South Vietnam in a big way. In the letter President Eisenhower wrote President Diem, a letter still serving as the basis for our policy in 1964, aid was pledged to Diem, and in turn, "the Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms."

NO FREEDOM OR DEMOCRACY IN SOUTH VIETNAM

In 1964, President Johnson refers to that letter as the basis for our aid, but the part about reforms has long since been forgotten.

Viewed objectively, the conclusion cannot be escaped that in the decade following 1954, the United States for all practical purposes made a protectorate out of South Vietnam. Its new government immediately became financially dependent upon us; as rebellion against it grew, our level of aid was stepped up. By 1961, we had to send 15,000 American troops as "advisers" to the local military forces.

Do not forget the population figures we are dealing with in South Vietnam. There is a population in South Vietnam of approximately 15 million, and a South Vietnam military establishment of some 400,000 to 450,000 armed forces, pitted against South Vietnamese Vietcong. Undoubtedly they are South Vietnamese Communists, but they are South Vietnamese.

Mr. President, I have been briefed many times, as have the other members of the Foreign Relations Committee; and all this time witness after witness from the State Department and from the Pentagon have admitted under examination that they had no evidence of any foreign troops in South Vietnam from North Vietnam, Red China, Cambodia, or anywhere else.

The sad fact is that the only foreign troops that have been in South Vietnam in any numbers have been American troops. In the past couple of weeks, we have been told, but without specifications, that there is some reason to believe that there may be some congeries here and there of North Vietnamese—a captured soldier here and there who might

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have come from North Vietnam. Mr. President, it has been admitted, by and large, that this has been a war between South Vietnamese Vietcong, who are Communist led, and the forces of the military government of South Vietnam.

Does anyone mean to tell me that with a population of 15 million, and military forces consisting of 400,000 to 450,000 South Vietnamese troops, of various types and various services, they are incapacitated, and that we must send American boys over there to die in what amounts basically to a civil war?

Mr. President, criticism has not prevented, and will not prevent me from saying that, in my judgment, we cannot justify the shedding of American blood in that kind of war in southeast Asia. France learned that lesson. France tried to fight it for 8 years, and with 240,000 casualties. The French people finally pulled down the French Government and said they had had enough.

I do not believe that any number of American conventional forces in South Vietnam, or in Asia generally, can win a war, if the test of winning a war is establishing peace. We can win military victories. We can kill millions of people, but not without losses of our own. Then, at the end of that blood march, we shall end with the same job to perform; namely, establishing peace, but in a war-racked world, if we survive.

Mr. President, the formula is archaic. The formula will no longer work. The nuclear age has outmoded war as an instrument for establishing and maintaining peace. The issues and problems of southeast Asia cannot be solved by military force.

That is why the senior Senator from Oregon pleads again that we return to the basic tenet of foreign policy which I cited at the beginning of this speech, taught to me by that great Republican, Arthur Vandenberg.

By 1961, we had sent 15,000 American troops as advisers to a South Vietnamese military establishment with 400,000 to 450,000 troops who seemed to be unable to defeat 25,000 to 35,000 Vietcong.

Let the record be clear—the maximum figure that any official of the executive department of government has ever given us in any briefing as to the numerical strength of the Vietcong is 35,000. More frequently it is said the number is probably nearer the neighborhood of 25,000.

Four hundred thousand to four hundred fifty thousand South Vietnamese military troops have been unable to defeat 25,000 to 35,000—to use their top figure—Vietcong.

We had to send in 15,000 American boys—at first—and we do not know with certainty how many were in the last allotment, but probably another 4,000 or 5,000 or more. And the way things are going over there today, the American people had better get ready for thousands more to be sent.

I view with great concern the danger that thousands of them will be bogged down in Asia for a long time to come. If that happens, there will be one place in the world where there will be no regrets, and that will be Moscow.

Mr. President, when the Diem government diverted itself from fighting rebels to fighting Buddhists, a coup by military proteges of the United States overthrew it. Within a few weeks, another coup replaced the Minh junta with what the American military advisers considered a more efficient military junta under General Khanh.

At no time has South Vietnam had a government of its own choosing. In fact, the Khanh junta justified its coup with the excuse that some Minh officers were pro-French, and might seek some way of neutralizing the country. What the people of South Vietnam, even those the government still controls, might want has never been given a passing thought.

Just how the present Khanh government differs from the old Bao Dai government which served as the French puppet, I have never been able to see.

Yet American leaders talk piously of "defending freedom" in South Vietnam. A Republican Member of the House of Representatives wrote me recently—and I quote from this letter:

So far as I can tell, the governments of North Vietnam and South Vietnam are just about Tweedledum and Tweedledee and neither the people nor the governments on either side would recognize democracy if they should meet it in broad daylight and on the main street of Saigon, their main interest being in another bowl of rice.

These were the origins of our present policy in Vietnam that has led us to talk openly of war with China, and now to overt warfare with North Vietnam. Many people are saying these days that getting into South Vietnam was a terrible mistake, but now that we are there, there is no point in looking back and rehashing the wisdom of it all. How wrong they are. Surely when a nation goes as far down the road toward war as we have, it must know why it is there, what objective it is seeking, and whether the objective sought could possibly be achieved by any other means.

We say that one of our objectives is the enforcement of the 1954 agreement, which we charge has been violated by North Vietnam and China. Why we believe we have a right to enforce by force of arms an international agreement to which we are not a party has never been explained.

Nor is it explained why the massive violations of articles 16, 17, and 18 which we have engaged in especially since 1961 are the only means of calling other violators to account.

In the case of Laos, we did sign the Geneva accord of 1962, which tried to neutralize that territory. Hence, we claim that the violations we have committed ourselves were only undertaken after North Vietnam had violated the accord first. Our violations have taken the form of sending armed planes flown by American pilots over Laos. The 1962 agreement permits military equipment to be brought into the country at the request of the Laotian Government, but it forbids "the introduction of foreign regular and irregular troops, foreign paramilitary formations and foreign military personnel into Laos."

In addition, we have sent at least five shiploads of military equipment to Thai-

land against the day when it becomes necessary to use American troops in Laos to halt the Pathet Lao.

Like the Communist neighbors who are helping the Pathet Lao, we are not enforcing the 1962 accord; we are only helping them to destroy it.

APPLICABLE SECTIONS OF UNITED NATIONS CHARTER

Most disturbing of all have been our violations of the United Nations Charter. If our signature on that Charter means anything at all, it requires us to observe article 2, section 4:

All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.

Other charter provisions are specific as to the duty of nations when they find themselves involved in a dispute.

Article 33 states:

SECTION 1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

Some of the peaceful means that have been advanced but brushed aside by the United States have been the 14-power conference advocated by France, and the introduction of a peace force from the Southeast Asia Treaty Organization.

Article 37 of the charter provides:

Should the parties to a dispute of the nature referred to in article 33 fail to settle it by the means indicated in that article, they shall refer it to the Security Council.

Notice that the controlling verb is "shall." This is not an option but a directive. So far it has been ignored by the United States.

ALL ACTION IN SELF-DEFENSE MUST BE REPORTED TO U.N.

Even the self-defense article does not sanction what we are doing in the name of defense in South Vietnam. Article 51 states:

Nothing in the present charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

There is nothing permissive about that. That may not be used as a rationalization for the United States making war instead of joining in keeping the peace in South Vietnam.

It is commonly said both in and out of government that the United Nations is a waste of time and that the Communists understand nothing but force. However, the line continues, maybe at some future date we may find it to our interest to go to the U.N.

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This supposedly sophisticated argument ignores several points.

First. It may not be left to us to decide whether the issue should go to the United Nations. Article 35 provides that "any member of the United Nations may bring any dispute, or any situation of the nature referred to in article 34, to the attention of the Security Council or of the General Assembly." The disputes referred to in article 34 are those which are likely to endanger the maintenance of international peace and security.

Cambodia dragged us before the United Nations, charging violations of her border. We apologized, and suggested a U.N. border patrol to guard against future violations. But we brazened it out so far as the Vietnam war was concerned, and served notice that we would do whatever we desired there, irrespective of the provisions of the charter.

How long we can proceed on this manner in Laos and Vietnam without being called to account at the United Nations is anyone's guess. But if we wait for another country to invoke article 35, we can be sure it will not be on grounds and under conditions most favorable to the United States.

Second. The very assumption by administration spokesmen that someday, sometime, somehow, and under some other circumstances, the United States will seek U.N. action is an admission that the issue is really one of U.N. jurisdiction. What they are saying is only that they do not think that to adhere now to the U.N. Charter would serve American interests. Their theory is that the time to negotiate is when we have first dominated the battlefield.

This amounts to saying that any treaty obligation that does not serve our national interest is just a scrap of paper. These officials take the view that we may one day resurrect the U.N. Charter from the wastebasket, but not until we think it serves our interests. Perhaps now that we can level a charge against North Vietnam, they think it serves our interest.

If that is to be our policy, then we are helping to destroy the United Nations, too, and all the advances in the rule of law in world affairs which it represents. Our moral position, which we claim as leader of the free world, will be undermined and our capacity for calling others to account for breaches of the peace will be seriously compromised.

Third. The "fight now, negotiate later" line is based on the wholly illusory assumption that Red China and North Vietnam will do what we refuse to do—negotiate when they are losing. Can we really expect that when China is faced with the same condition she was faced with in Korea, she will negotiate instead of pouring her hordes into the fray, as she did in Korea? Do we really think these two countries will go to the U.N. or to the bargaining table when the war goes against them, although we refused to do so under the same circumstances? One might as well ask whether the United States would have done so in October of 1962 had the Soviet Union come to dominate the Caribbean.

As I have said in several speeches, and repeat now, we had better face the realization of the desperado that we are dealing with in Red China. This despicable Communist leader has demonstrated time and time again, as was demonstrated in the Korean war, that he places no value on human life. Only in the past 2 or 3 years headlines blazed forth the statement that the Communist leader of Red China has said in effect that in case of war with Western imperialism they could sacrifice 400 million people and have a stronger China at the end.

I know of no reason that should justify anyone engaging in the wishful thinking or in the head-in-the-sand attitude that if we kill enough and bomb enough, North Vietnam and Red China will yield.

We need the world with us. By that I mean we need with us the nations of the world which believe in the resort to the rule of law in the settlement of disputes.

We shall not take these nations with us if we follow a unilateral military course of action in Asia that may result in the despicable Communist Chinese leader starting to send his hordes of human bodies against American military force.

I reject the premise, which I believe is clearly imbedded in the joint resolution which was introduced in the Senate today: "Fight now and negotiate later."

That is risky business. It would jeopardize the continuation of existing procedures for the peaceful settlement through negotiations of disputes which threaten the peace of the world.

A nation does not have to commit the first violation in order to be in violation of the Geneva Accords. And it does not have to commit aggression in order to be in violation of the United Nations Charter.

We have violated these accords and the U.N. Charter time and time again. We are pursuing neither law nor peace in southeast Asia. We are not even pursuing freedom. We are maintaining a military dictatorship over the people of South Vietnam, headed by an American puppet to whom we give the orders, and who moves only under our orders.

Whoever fights a war without taking the matter to the United Nations is in violation of the charter, whether that party started the fighting or not. We cannot hide behind the alibi that others violated these agreements first, although they did. To the contrary, it makes it more important that we lay the charges before the United Nations, or to a 14-nation conference, or seek to bring SEATO in to exercise peacekeeping policies until the U.N. can take jurisdiction.

FOLLY OF WAR IN ASIA

All the foregoing is important to the United States, but none of it is as important as the folly of our getting involved in a war in Asia, irrespective of legal or moral obligations. No American spokesman has ever given the American people a single reason why an American war on the Chinese mainland would be justified.

The day of the westerner is finished in Asia, just as much as in Africa. And it no longer matters whether the westerner is French, Dutch, British, or American. The pressure will always be against us and against our front in South Vietnam.

That is why the pious apologies for our present policy which deplore expansion of the war into North Vietnam or China, but insist that we cannot leave under pressure, have been so futile.

There will never be anything but pressure against us there so long as the local government is dependent upon us for its existence. There is no reason to think the rebellion against Khanh will ever die out. Although it may recede somewhat in the face of our overwhelming military might, it will rebound whenever we try to reduce the level of American participation.

Our best prospect for us in South Vietnam was for stalemate; but the longer the stalemate continued, the more inevitable it was the war would be escalated. And it has been escalated, and how much further it will be escalated no one can say.

The public statements by Secretary McNamara, Secretary Rusk, Admiral Felt, and General Harkins required that the United States expand the war if the Communist-led forces did not retreat from their gains in Laos and Vietnam, and American forces from nearby bases in the Philippines and Okinawa have been poised for air attacks in Laos and North Vietnam and for the entry of ground forces through Thailand into Laos.

In my opinion, our leaders counted on bluffing Communist China; but she was not bluffed in Korea when the whole United Nations was with us, and this time we have not one single ally. The faltering General Khanh has arranged for us to carry out those threats so far as North Vietnam is concerned. We may find that someone else will arrange for us to carry them out against China, too. If that time comes, we will have no choice but to resort to nuclear weapons with all the hideous consequences that entails.

Yet, the fact remains that nothing we set out to do in 1954 justifies what we are doing today, much less what we are threatening to do. We set out in 1954 to put Humpty-Dumpty back together again when we tried to establish an American foothold in southeast Asia out of the destruction of European colonialism.

Five and one half billion dollars worth of aid to South Vietnam, 18,000 American "advisers," and now the threat of war with China has not put Humpty-Dumpty back together—and never will. Out of this \$5½ billion, \$1¼ billion went to France to help her in the Indochina war prior to her withdrawing in 1954. Today we are spending better than \$1½ million per day and will reach \$2 million shortly, just as aid to Vietnam, not covering the cost of our own military force in southeast Asia. Unless the American people make their voices heard very soon, they are going to spend even more in this fruitless and unavailing task.

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What this war in the last 36 hours has cost the American taxpayers and how much it will amount to as that war continues defies imagination.

HOPE FOR PEACE LIES WITH OTHER MEMBERS OF UNITED NATIONS

The stark reality is that North and South Vietnam, China, and the United States are in this hour endangering the peace of the world. We have said we will make charges against North Vietnam before the United Nations Security Council.

Why in the world we did not make those charges against North Vietnam several years ago, I shall never understand. We are going to make charges now because we are in open conflict with North Vietnam. But we have had evidence for years that North Vietnam was undoubtedly a violator of the Geneva Accords of 1954. But instead of taking our charges and our proof to the United Nations, we sent 15,000 military personnel to South Vietnam to engage in unilateral military action in South Vietnam, in violation of three articles of the Geneva Accord that I have already cited in this speech, and have violated, time and time again, article after article of the United Nations Charter. That is our sorry record.

What about the infiltration of North Vietnamese into South Vietnam to advise the Vietcong?

What about the 21,000 American troops in South Vietnam advising the Government?

What about the American air attack on North Vietnam naval bases?

What about the shelling of the islands in Tonkin Bay by South Vietnamese vessels? These were all clear acts of war.

Why is not Ambassador Stevenson going to lay these incidents, too, before the Security Council?

The best hope for peace would seem to be that the noncombatant members of the United Nations will see to it that all of the provocative activities in the Indochina peninsula are brought before the Security Council or the General Assembly of the United Nations, in accordance with the procedures of the Charter. They should invoke all—I repeat: all—the applicable provisions of the United Nations Charter irrespective of which country initiates charges or must be called to account.

They should call upon South Vietnam, North Vietnam, Laos, Cambodia, China, and the United States to stop their fighting and proceed to the conference table, where there can be applied the rules of reason rather than the fortunes of war for the settlement of the conflict.

These U.N. members not involved in this conflict must face up to one of the great challenges in all history. If they do not, they will see the United Nations Charter consumed as a casualty in the war flames of the struggle. They must enforce the Charter against all who are fighting in Asia. That is the issue—the issue of peace or war—that is facing them as well as us.

I close by pleading that my country, and its people, not forsake the moral principles and values which cry out to be saved in this hour. I plead with them not to commit themselves to a unilateral

war in Asia for purposes which many of their own political leaders were ill advised in the first place. There is still no answer to the Biblical injunction:

He shall judge among many people and rebuke strong nations afar off; and they shall beat their swords into plowshares, and their spears into pruning hooks.

The United States has everything to gain and little to lose by seeking to implement that teaching at an international conference table.

The United States has much to lose and little to gain by continuing our unilateral military action in southeast Asia, unsanctioned by the United Nations and unaccompanied by allies.

No nation in history has had such a great opportunity as this one now has to strike a blow for peace at an international conference table.

I shall not support any substitute which takes the form of a predated declaration of war. In my judgment, that is what the pending joint resolution is.

I shall not support any delegation of the duty of Congress—of Congress, not the President—to determine an issue of war or peace.

I shall not support any substitute which takes the form of military action to expand the war or that encourages our puppets in Saigon to expand the war.

Adherence to the United Nations Charter is the only policy that affords the hope of leading the American people out of this jam without a war. I shall continue to plead for such a policy as long as time remains.

If war overtakes us first, then we will have no choice but to unite behind its prosecution.

But, first, that calls for a declaration of war and not a resolution that seeks to authorize the President to make war without our declaring war. That was the position I took in 1955; and I incorporate by reference every argument I used in opposition to a preventive war resolution of that date.

But I see no more chance of conventional military victory in North Vietnam and China than in South Vietnam, and I therefore plead that the SEATO treaty and the United Nations Charter, rather than solitary force of arms, guide our actions in southeast Asia.

I am convinced that a continuation of the U.S. unilateral military action in southeast Asia, which has now taken on the aspects of open aggressive fighting, endangers the peace of the world.

Mr. President, in yielding the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BAYH in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INDEPENDENT OFFICES APPROPRIATIONS, 1965

The Senate resumed the consideration of the bill (H.R. 11296) making appro-

priations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes.

The PRESIDING OFFICER. Under the unanimous-consent agreement previously agreed to, the two amendments will be granted 30 minutes, 15 minutes to a side.

Mr. PROXMIRE. Mr. President, I call up my amendment No. 1172 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered; and the amendment will be printed in the Record at this point.

The amendment (No. 1172) submitted by Mr. PROXMIRE is as follows:

On page 47, line 4, strike out "\$4,413,594,000" and insert "\$4,313,594,000".

Mr. PROXMIRE. Mr. President, I modify the amendment so as to read:

On page 47, line 4, strike out "\$4,413,594,000" and insert "\$4,345,000,000".

On page 47, line 9, strike out "\$262,880,500" and insert "\$245,000,000".

On page 42, line 23, strike out "\$623,525,500" and insert "\$610,000,000".

The PRESIDING OFFICER. The amendment is modified accordingly.

Mr. PROXMIRE. I will explain the modification as I go along.

There are many arguments against proceeding rapidly with the space program. I shall not make those arguments.

We know about the limited scientific manpower available in this country. It is one of our most precious assets.

I have felt for a long time that we should make a study of the availability of scientific manpower where it can be allocated in wholesale lots, as has been done in the space program, at the expense of defense and at the expense of industry itself.

Mr. CLARK. Mr. President, will the Senator from Wisconsin yield at that point?

Mr. PROXMIRE. I yield.

Mr. CLARK. While the study conducted on scientific manpower by the Subcommittee on Manpower Employment of the Committee on Labor and Public Welfare, of which subcommittee I am chairman, was not in so great a depth as one might desire, if we are thinking only in terms of the study of scientific manpower. That study, the results of which have been made public, makes it clear that scientific manpower is almost desperately in short supply in a number of areas in the country, and that the prognosis for remedying that short supply is a most pessimistic one. It seems reasonably clear that for at least another 5 or 10 years we shall not have anything like enough trained scientific manpower to take care of all the legitimate needs of the economy, private as well as public. It shows, further, that an undue percentage of our scientific manpower is now completely under the control of the Government in connection